



Ku-ring-gai Council

PLANNING PROPOSAL

To rezone Killara Bowling and Lawn Tennis Club and the associated allotments from Low Density Residential to Private Recreation and to list the site as a heritage item in Schedule 5 of the Ku-ring-gai Local Environmental Plan 2015.

NOVEMBER 2021

Contents

INTRODUCTION	2
PART 1 – OBJECTIVE AND INTENDED OUTCOMES	14
PART 2 – EXPLANATION OF PROVISIONS	15
PART 3 - JUSTIFICATION	16
A. Need for the planning proposal.....	16
B. Relationship to strategic planning framework.....	21
C. Environmental, social and economic impact	26
D. State and Commonwealth interests	27
PART 4 - MAPPING	28
PART 5 – COMMUNITY CONSULTATION	34
PART 6 – PROJECT TIMELINE	35
APPENDIX A – Heritage Assessment of Killara Bowling and Lawn Tennis Club – July 2021	
APPENDIX B – Letter – Response to Request for an Interim Heritage Order - NSW Heritage - March 2021	
APPENDIX C – Heritage Reference Committee Minutes – 20 May 2021	
APPENDIX D – Council report and resolution OMC – 15 June 2021	
APPENDIX E – Ku-ring-gai Local Planning Panel Meeting – KLPP Advice – August 2021	
APPENDIX F – Ku-ring-gai Local Planning Panel Meeting – KLPP Report and Advice – October 2021	
APPENDIX G – Council report and resolution OMC – 16 November 2021	
APPENDIX H – SHI Form – Killara Bowling and Tennis Clubs	
APPENDIX I – Revised Springdale Conservation Area Statement	

INTRODUCTION

This Planning Proposal contains the justification to rezone the Killara Bowling and Lawn Tennis Club (Lot 3 DP 817195, Lot 2 DP 817195, Lot B DP 380305 and Lot 11 DP 1083606) ('the site') from R2 Low Density Residential to RE2 Private Recreation and to list the site as a local heritage item in Schedule 5 of the *Ku-ring-gai Local Environmental Plan 2015* ('KLEP 2015').

This Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning, Industry and Environment's '*A Guide to Preparing Planning Proposals*' (December 2018).

Council will request the plan making delegation under section 3.36 of the Environmental Planning and Assessment Act for this Planning Proposal.

This Planning Proposal includes:

- Existing site and surrounding context
- Existing planning controls applying to the site
- The objective of the amendment to the *Ku-ring-gai Local Environment Plan 2015*
- An explanation of provisions that are to be included in the amendment to the *Ku-ring-gai Local Environment Plan 2015*
- Justification for the objective and provisions to be included in the amendment to the *Ku-ring-gai Local Environment Plan 2015*
- Mapping for the rezoning and heritage listing
- Community Consultation
- Project Timeline

Background

The Killara Bowling and Lawn Tennis Club was the subject of a preliminary heritage assessment in May 2021. The assessment concluded that both individually and combined, the Killara Bowling and Lawn Tennis Clubs meet the threshold for heritage listing at a local level through for their historic, associational, aesthetic and social values. In addition, the site is representative and potentially a rare example of a highly intact recreational precinct, which has continued it's historic use and function within a community for over a century. A revised assessment has now been prepared and is included as **Appendix A**.

In February 2021, Council received correspondence from a local community member requesting an “...[U]rgent Interim Heritage Order to apply to both the Killara Bowling Club Limited and Killara Lawn Tennis Club Limited properties - with frontages to Arnold Street, Locksley Street and Werona Avenue, Killara.”

Council officers advised the community member that council does not have the delegation to make an Interim Heritage Order ('IHO') as the site is located within the Springdale Conservation Area ('HCA'). Council officers suggested that the community member seek feedback from NSW Heritage on the matter.

On 2 March 2021, NSW Heritage (OEH) requested information from Council in relation to the heritage significance of the Killara Bowling and Lawn Tennis Club site. Council provided general information about the planning and heritage affectations relating to the site, including the current zoning, permissible uses and heritage inventory information for a number of heritage items in the vicinity.

On 15 March 2021, Council received correspondence from NSW Heritage, which outlined that they were not proceeding to make an IHO in this instance, as they did not deem the site to reach the threshold for **state** significance, nor did they consider the site to be **under any imminent threat** (emphasis added). However, NSW Heritage noted that they would “*encourage Council to consider reviewing Killara Bowling Club and Killara Lawn Tennis Club as part of its review of items within the Springdale Road Heritage Conservation Area and engage with... [the community member] and the community in assessing the sites local heritage.*” The correspondence from NSW Heritage is included as **Appendix B**.

On 18 May 2021, the matter was raised at the Ordinary Meeting of Council ('OMC') through a Notice of Motion. At this meeting, Council resolved:

'That:

- A. That as a matter of urgency staff carry out a preliminary review of the heritage significance of the Killara Bowling Club and Killara Lawn Tennis Club.*
- B. That a report be brought back to Council's June meeting outlining the results of the preliminary review of heritage significance with a view to initiating a Planning Proposal to list the properties as heritage items in Council's Local Environmental Plan if appropriate.'*

A preliminary heritage assessment was prepared and presented to the Ku-ring-gai Heritage Reference Committee ('HRC') on 20 May 2021. The HRC supported the findings of the heritage assessment and suggested that, with minor refinement, the assessment would be sufficient to support the Planning Proposal. The HRC minutes from the May meeting are included as **Appendix C**.

On 15 June 2021, the matter was raised at the Ordinary Meeting of Council ('OMC'). At this meeting, Council resolved:

'That:

- A. Council prepares a planning proposal to amend KLEP 2015 to include the Killara Bowling and Lawn Tennis Club sites (Lot 3 DP 817195 and Lot 2 DP 817195 and Lot 11 DP 1083606 and Lot B DP 380305 and Lot 11 DP 1083606) as a proposed heritage item in Schedule 5 and on the Heritage Map.*
- B. If in the meantime there is any threat of imminent harm to either of the Killara Bowling and Lawn Tennis Club sites (Lot 3 DP 817195 and Lot 2 DP 817195 and Lot 11 DP 1083606 and Lot B DP 380305 and Lot 11 DP 1083606), Council request that NSW Heritage make an IHO on both properties to enable the sites to have protection from that harm until a Planning Proposal can be progressed to Gateway Determination.'*

The Council report and resolution from the June OMC is included as **Appendix D**.

The Planning Proposal was presented to the Ku-ring-gai Local Planning Panel (KLPP) on 16 August 2021 and the matter was deferred. The Panel advised:

- A. The matter be deferred to enable Council to provide a clearer statement of the objectives of the Planning Proposal with more specific detail of the heritage significance of the site. That further information be provided on whether the Planning Proposal is the best means of achieving these objectives.*

The KLPP Advice from 16 August 2021 is included as **Appendix E**.

The Planning Proposal was reconsidered by the KLPP on 18 October 2021. Further information was provided regarding whether the heritage listing of the site was the best means to meet the objectives of the Planning Proposal.

The Panel was asked to provide advice to Council as to whether the Planning Proposal should be amended to pursue rezoning the site from R2 Low Density Residential to RE2 Private Recreation in tandem with the heritage listing.

At the October KLPP meeting, the Panel advised:

- A. The Ku-ring-gai Local Planning Panel is of the opinion that the proposal has sufficient strategic and site specific merit and therefore advises Council that the Planning Proposal to amend Schedule 5 of the KLEP 2015 to include as a local heritage item Killara Bowling Club and Killara Lawn Tennis Club (Lot 3 DP 817195 and Lot 2 DP 817195 and Lot 11 DP 1083606 and Lot B DP 380305 and Lot 11 DP 1083606) be submitted to the Department of Planning, Industry and Environment for a Gateway Determination.*
- B. The Ku-ring-gai Local Planning Panel does not have sufficient information to provide advice in regard to any prospective re-zoning of the site.*

The KLPP Report and Advice from 18 October is included as **Appendix F**.

While the KLPP formed the view that it did not have sufficient information to provide advice on any prospective re-zoning of the site, the rezoning of the Killara Bowling and Lawn Tennis Clubs site to RE2 Private Recreation is considered to have merit. The rezoning, undertaken in tandem with the heritage listing, is considered to be the best means to meet the objectives to recognise the heritage and recreational value of the site, and to ensure that the zoning objectives accurately reflect the past and present recreational use of the site.

The objectives of the RE2 Private Recreation zone more accurately reflect the past and present use of the site than the objectives of the current zoning of R2 Low Density Residential. The RE2 Private Recreation zone objectives in the KLEP 2015 are as follows:

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

The Killara Bowling and Tennis Clubs have provided recreational facilities for the immediate Killara and wider North Shore community and continued to demonstrate strong links to the Australian sporting culture for over a century, since the declaration of JG Edwards in the late nineteenth century of the sites' suitability for the purpose of park and/or recreation. The clubs represent the early entrepreneurialism of JG Edwards, who had the ability to envisage and manifest the ongoing use of the site for recreational purposes within a wider residential precinct.

In addition, the land uses permissible under the RE2 Private Recreation reflect the current use of the site while providing flexibility for a range of potential future uses that could be compatible with the existing context of the site. These uses include, but are not limited to: Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Information and

education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs.

Rezoning the site to RE2 Private Recreation will ensure the preservation of the recreational and open space characteristics of the site.

At the 16 November 2021 Ordinary Meeting of Council resolved:

'That:

- A. Council adopts the planning proposal included as Attachment A1 to list Killara Bowling and Lawn Tennis Clubs and the associated allotments (Lot 3 DP 817195 and Lot 2 DP 817195 and Lot 11 DP 1083606 and Lot B DP 380305 and Lot 11 DP 1083606) as a local heritage item on Schedule 5 and on the Heritage Map of the KLEP 2015.*
- B. That the planning proposal be amended to include the rezoning of the Killara Bowling and Lawn Tennis Clubs ('the Site') from R2 Low Density Residential to RE2 Private Recreation.*
- C. The amended Planning Proposal be submitted to the Department of Planning and Environment for a Gateway Determination in accordance with the provisions of the EP&A Act and Regulations.*
- D. Council requests the plan making delegation under Section 3.36(2) of the EP&A Act for this Planning Proposal.*
- E. Upon receipt of a favourable Gateway Determination, the exhibition and consultation process is to be carried out in accordance with the Gateway Determination and requirements of the Environmental Planning and Assessment Act, 1979.*

The Council report and resolution from the 16 November 2021 OMC is included as **Attachment G**.

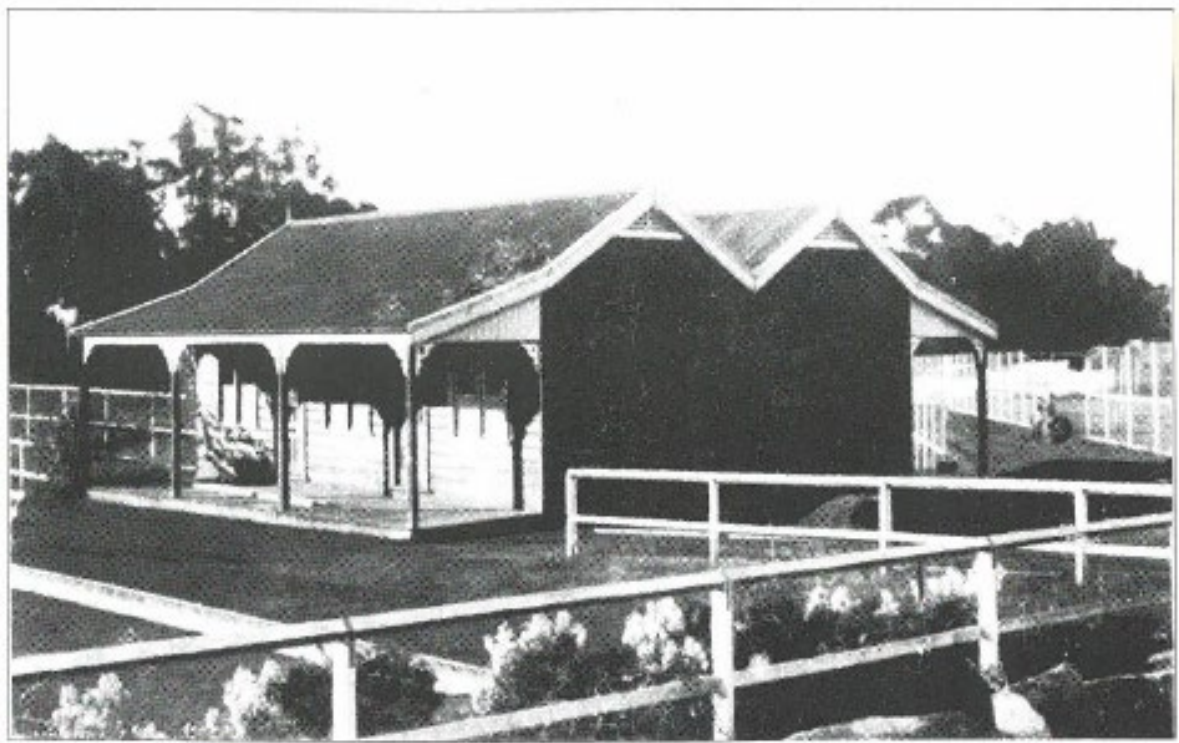
A draft Heritage Inventory ('SHI') form for the Killara Bowling and Lawn Tennis Club has been prepared to support the Planning Proposal and is included as **Appendix H**. A revised Conservation Area Statement of Significance for the Springdale Conservation Area is included at **Appendix I**.

Site and context

The subject site comprises of four allotments addressing three street frontages, Locksley Street, Arnold Street and Werona Avenue and comprising the Killara Lawn Tennis Club and the Killara Bowling Club. Collectively, the site contains a small concentration of buildings located along the common boundary with the tennis building facing east to the tennis courts and the bowling club complex orientated to the bowling greens to the west. The history of both sites provides more information in relation to the evolution of the built fabric and landscape elements on the site.

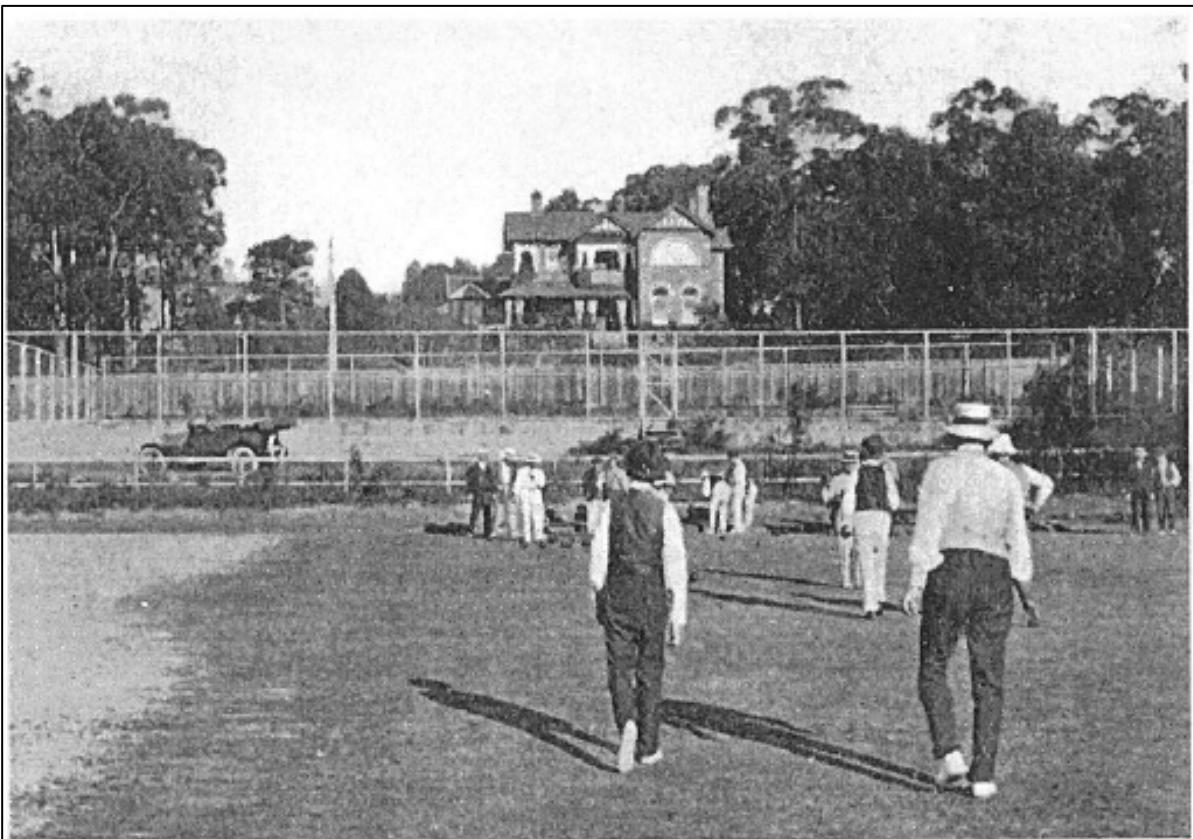


Figure 1. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see **Appendix A**)



The original Clubhouse, built about 1910, served tennis players on its eastern side and bowlers on the west.

Figure 2. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see [Appendix A](#))



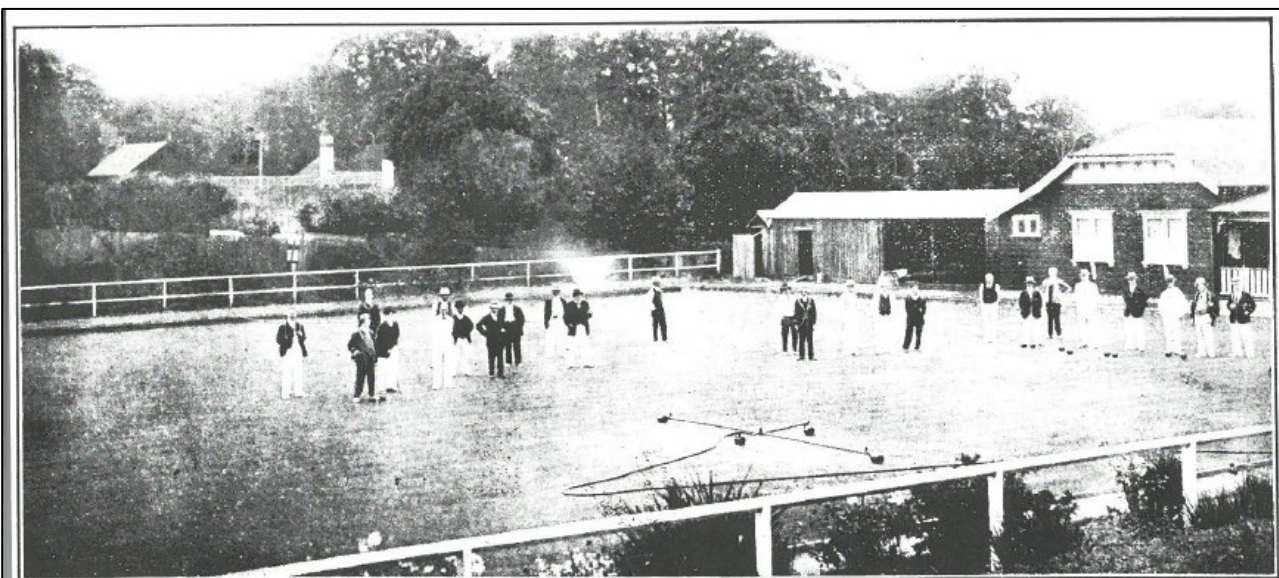
View in 1918 of the Bowling Green and beyond the Tennis Club court - Photo: Club Collection

Figure 3. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see [Appendix A](#))



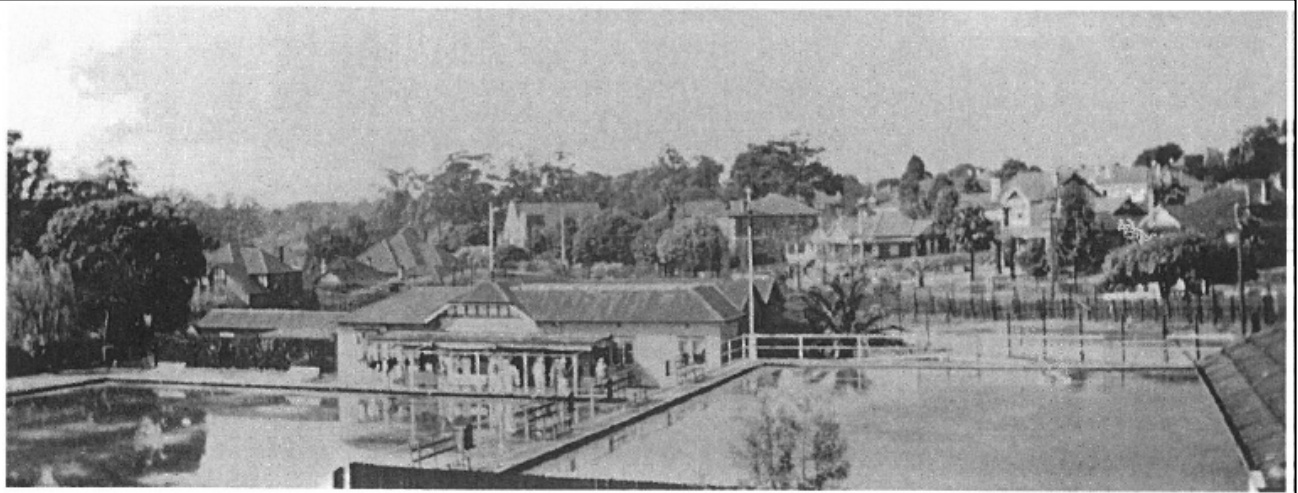
A gala day at Killara Bowling Club about 1919. The "opening of the green" was a special occasion celebrated annually.

Figure 4. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see **Appendix A**)



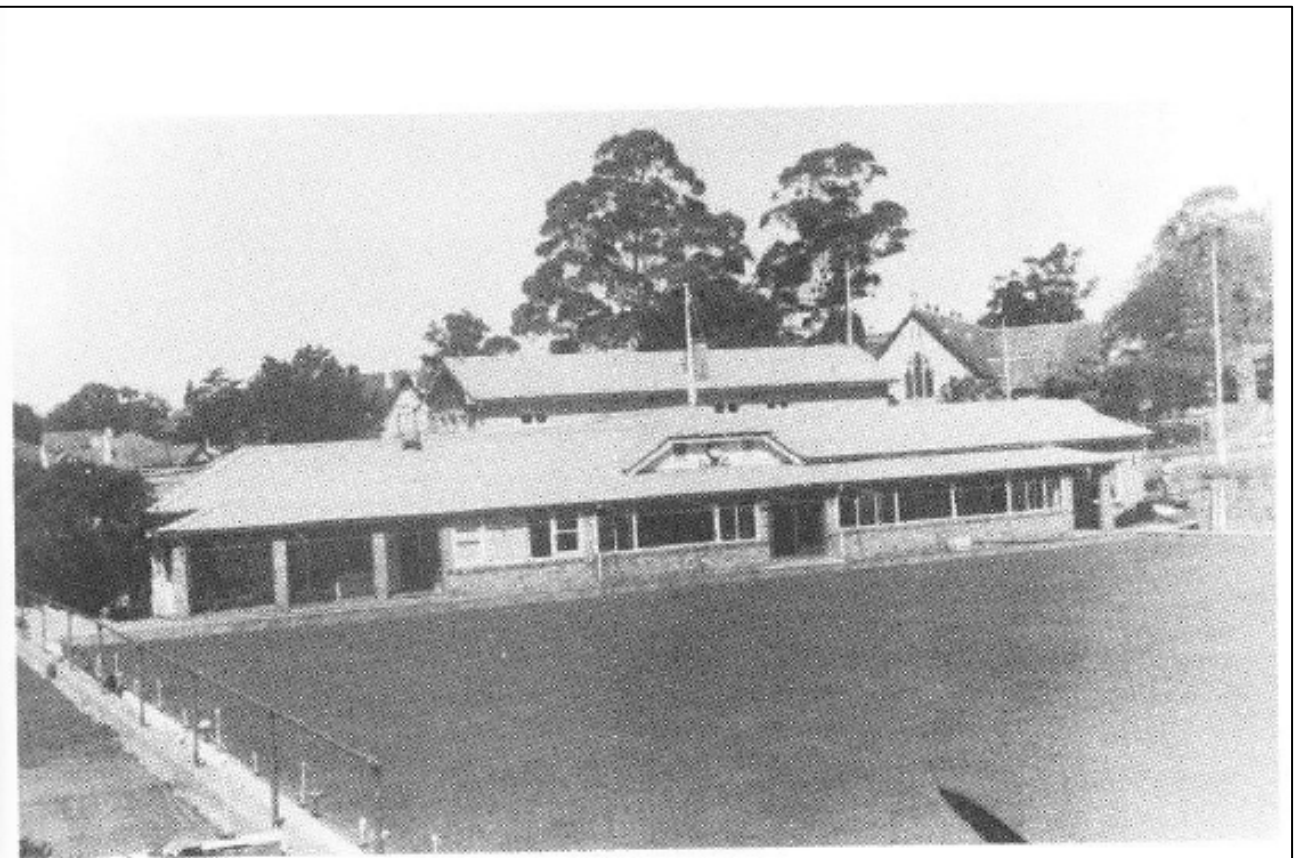
This photograph of the Killara green and Clubhouse appeared in a souvenir publication and programme for the 1926 Australian Bowling Carnival held in Sydney.

Figure 5. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see **Appendix A**)



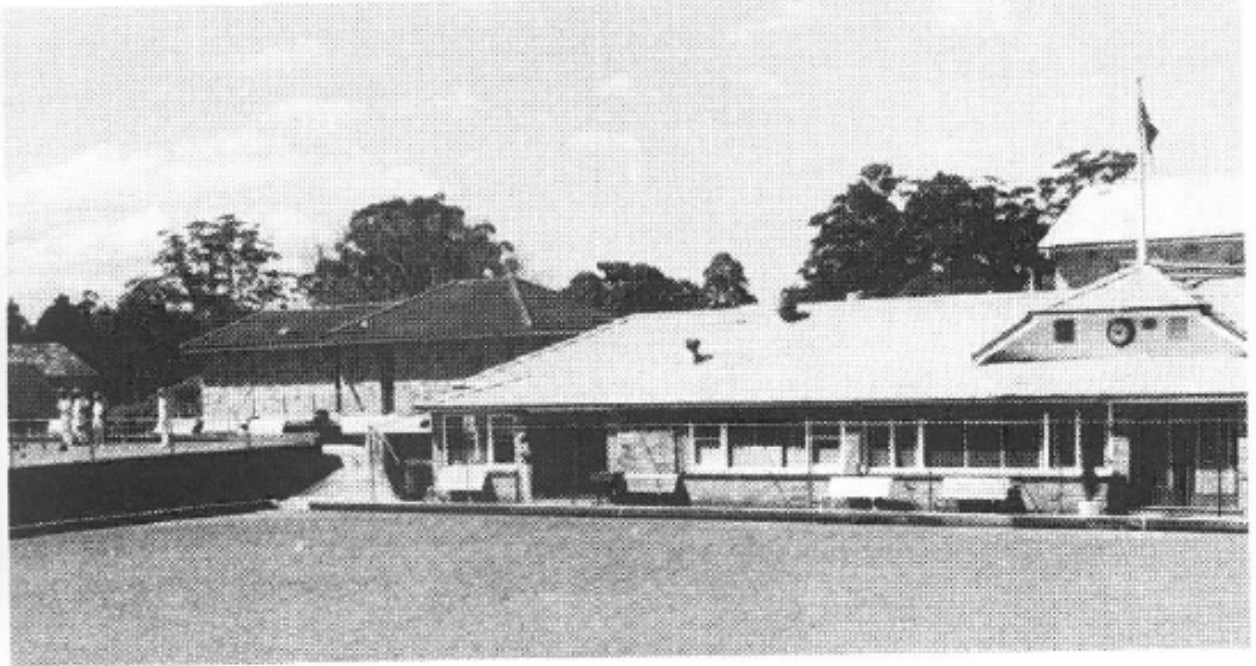
The Bowling greens flooded in April 1942. A storm-water drain on the southern side of No 2 green collapsed after a storm leaving an opening 6 ft wide and 50 ft long. Photo: courtesy of the Killara Bowling Club

*Figure 6. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see **Appendix A**)*



The Clubhouse as enlarged in 1958.

*Figure 7. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see **Appendix A**)*



The two-story extension on the left of the Clubhouse, added in 1967, and enlarged in 1984, now houses the women's locker room.

*Figure 8. Killara Bowling and Lawn Tennis Club (Source: Heritage Assessment – see **Appendix A**)*

Existing planning controls

The site is subject to existing planning controls within the KLEP 2015, relating to land zoning, height of building and minimum lot size. These are as follows:

	Land Use Zone	Height of Building	FSR
Killara Bowling and Lawn Tennis Club	R2 Low Density Residential	9.5m	0.3

The Objectives for R2 Low Density Residential in the KLEP 2015 are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai.

The site is located within a Heritage Conservation Area under the KLEP 2015. The site is not currently listed as a State or local heritage item.

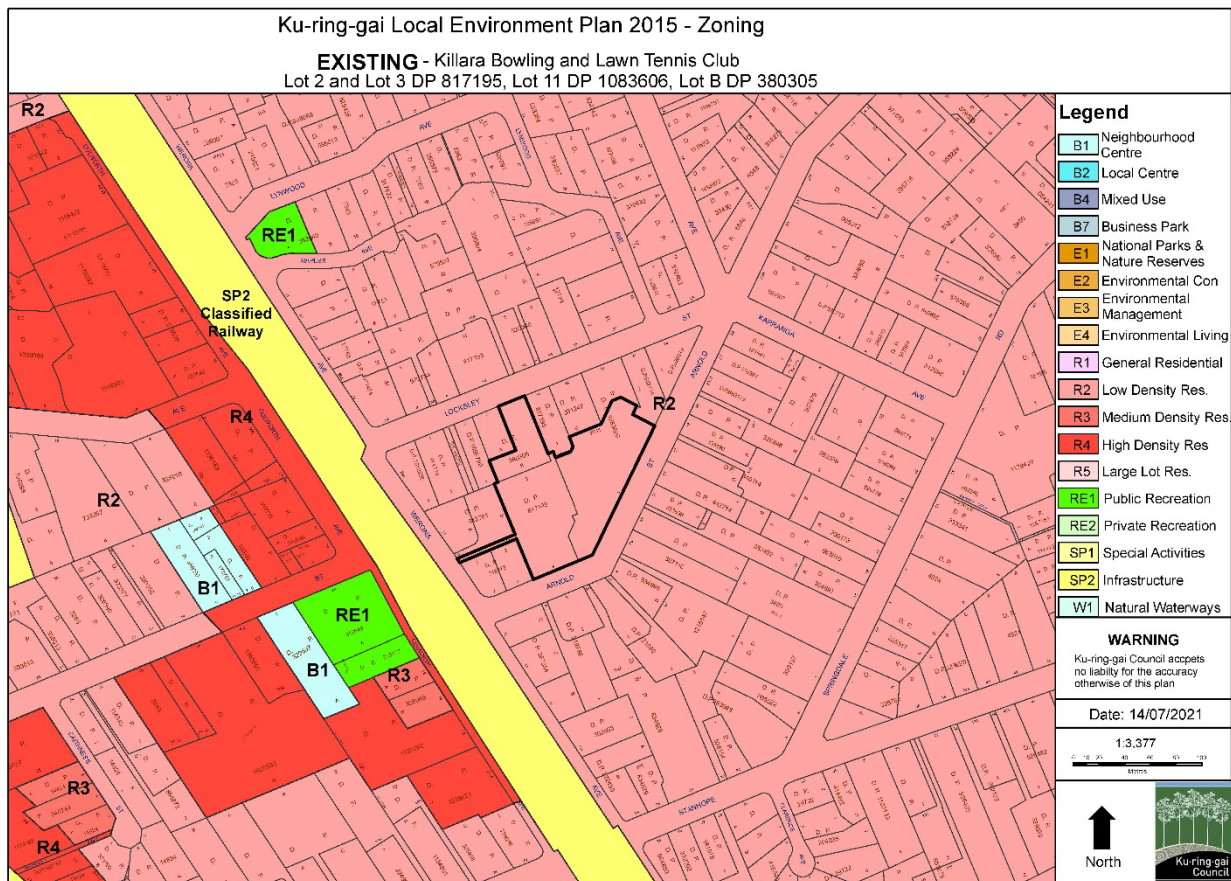


Figure 9. Map showing zoning of Killara Bowling and Lawn Tennis Club

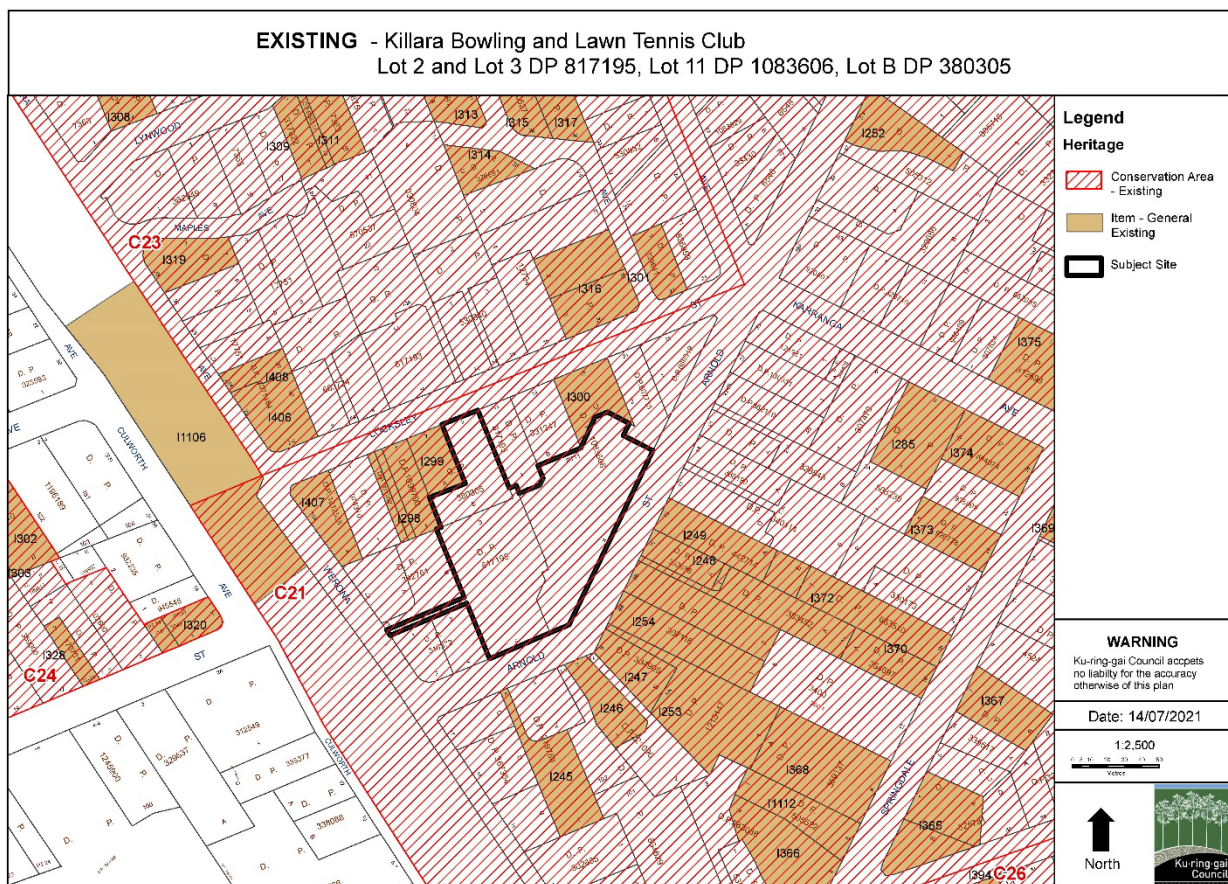


Figure 10. Map showing existing non-heritage listed status of Killara Bowling and Lawn Tennis Club within a heritage conservation area and existing Heritage Items nearby

PART 1 – OBJECTIVE AND INTENDED OUTCOMES

A statement of the objectives and intended outcomes of the proposed instrument

The objective of the planning proposal is to rezone the Killara Bowling and Lawn Tennis Club from R2 Low Density Residential to RE2 Private Recreation and to amend Part 1 (Heritage items) under Schedule 5 (Environmental Heritage) of the KLEP 2015, to list the site as a local heritage item. Rezoning the site to RE2 Private Recreation will ensure that the zoning objectives correlate with the past and present use of the site. Rezoning the site to RE2 Private Recreation will ensure the preservation of the recreational and open space characteristics of the site. Heritage listing of this property will ensure recognition of its significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the KLEP 2015.

PART 2 – EXPLANATION OF PROVISIONS

An explanation of the provisions that are to be included in the proposed instrument

The Planning Proposal seeks to make amendments to the following maps:

- **Ku-ring-gai Local Environmental Plan 2015 – Land Zoning Map – Sheet LZN_014** by colouring the site so as to indicate an RE2 Private Recreation zoning.
- **Ku-ring-gai Local Environmental Plan 2015 – Floor Space Ratio Map – Sheet FSR_014** by removing the A3 colouring of the site so as to reflect the planning controls of a site zoned for RE2 Private Recreation.
- **Ku-ring-gai Local Environmental Plan 2015 – Height of Buildings Map – Sheet HOB_014** by removing the J2 colouring of the site so as to reflect the planning controls of a site zoned for RE2 Private Recreation.
- **Ku-ring-gai Local Environmental Plan 2015 – Heritage Map – Sheet HER_014** by colouring the site so as to indicate a Heritage Item – General.

The Planning Proposal seeks to amend the planning controls of the site to the following:

	Land Use Zone	Height of Building	FSR
Killara Bowling and Lawn Tennis Club	RE2 Private Recreation	No maximum height of building control	No FSR control

The Planning Proposal seeks to amend Schedule 5 Environmental Heritage of the KLEP 2015 to insert the following:

Suburb	Item Name	Address	Property Description	Significance	Item No.
Killara	<i>Killara Bowling and Lawn Tennis Club to the extent of the allotment including clubhouses, bowling greens, tennis courts, garden elements, fencing and sandstone walls.</i>	Arnold Street, Killara	Lot 3 DP 817195 and Lot 2 DP 817195 and Lot B DP 380305 and Lot 11 DP 1083606	Local	<i>To be confirmed</i>

PART 3 - JUSTIFICATION

The justification for those objectives, outcomes and the process for their implementation

A. Need for the planning proposal

Q1. *Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

Yes. A Heritage assessment was prepared in July 2021 (see **Appendix A**). The Report considered the significance of the Killara Bowling and Tennis Clubs against the NSW Heritage criteria. The assessment maintains that the Killara Bowling and Lawn Tennis Club warrants local listing on Schedule 5 of the KLEP 2015, satisfying the NSW Heritage Council's criteria for listing, as outlined below.

a) an item is important in the course, or pattern, of NSW's cultural or natural history:

The Killara Bowling and Tennis Clubs have continued to demonstrate strong links to the Australian sporting culture for over a century, since the declaration of JG Edwards in the late nineteenth century of the sites' suitability for the purpose of park and/or recreation. Both established by JG Edwards, the site has continued to function for the purposes of a Tennis Club since 1910 and Bowling Club since 1916 and have had an ongoing affiliation with each other, which formally ended in 1919, but has informally continued as a product of their proximity to one another and symbiotic uses.

b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history:

The site has strong historical links to its founder, JG Edwards, who resided in the area since the 1850s. Edwards demonstrated the qualities of an early Australian entrepreneur, having acquired, established and subdivided 160 acres known as the Springdale Estate in the late nineteenth century. Often referred to as the 'King of Killara', Edwards was known as an instigator in the establishment of the North Shore railway line, including the construction of a station at Killara.

The clubs have provided recreational facilities for the immediate Killara and wider North Shore community for over a century.

The Tennis Club has been associated with notable Australians, including International Tennis players Neale Fraser, Lew Hoad, Fred Stolle and Ken Rosewell.

The Bowling Club has historic links to notable local people such as former President George Gissing who maintained a membership of the club for over 30 years until his death in 1955. The Arnold Street brick fence was later donated in memory of Gissing, by his family.

c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW:

The site is visually prominent within the Springdale Conservation Area, maintaining landmark qualities through the recreational and open space characteristics, which provide visual distinction within the highly historic and suburban precinct. The regularity and rectilinear nature of the tennis courts and bowling greens, centrally flanked by the clubhouses, which continue to face their respective sporting precincts, conveys an aesthetically pleasing sense of order to the site.

The existing tennis clubhouse has the potential to display an aesthetically pleasing and distinctive use of brickwork through its apparent high-quality construction and finer detailing.

The garden elements, fencing and historic stone walls are notable.

d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons:

The clubs have provided recreational facilities for the North Shore community for over a century and have been associated with prominent Australian Tennis players such as Neale Fraser, Lew Hoad, Fred Stolle and Ken Rosewell. The location of the clubs, side-by-side, within the suburban precinct has ensured that strong links with the surrounding community have been maintained since their establishment and the residential subdivision in the early twentieth century.

e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history:

Without further research, it is not known whether the site would meet the threshold for this criterion.

f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history:

Whilst the site is associated with lawn bowls, which has continued to lose popularity as a sport within Australian society, without further research or extensive comparative analysis, it is not known whether the site would meet the threshold for this criterion.

The site represents an early and possibly rare example of a sporting precinct within an affluent residential setting, whose curtilages have not been affected by the pressure of development.

g) an item is important in demonstrating the principal characteristics of a class of NSW's

- cultural or natural places; or***
- cultural or natural environments.***

Together, the clubs have the ability to represent the early entrepreneurialism of JG Edwards, who had the ability to envisage and manifest the ongoing use of the site for recreational purposes within a wider residential precinct.

The history of the site and built fabric that has evolved is somewhat representative of economic fluctuations, changing popularities of sports as well as changes in social values, such as the shifting opinions in relation to women.

Statement of Significance

Individually and combined, the Killara Bowling and Lawn Tennis Clubs demonstrate significance at a local level through their ongoing association with the activities of lawn bowls and tennis within the local area and wider North Shore for over a century.

The site has strong historical links to the founder, JG Edwards, who resided in the area since the 1850s. Referred to as the 'King of Killara', Edwards demonstrated the qualities of an early Australian entrepreneur, having acquired, established and subdivided 160 acres known as the Springdale Estate in the late nineteenth century.

The site has continued to function for the purposes of a Tennis Club since 1910 and Bowling Club since 1916 and have had an ongoing affiliation with each other, which formally ended in 1919, but has informally continued as a product of their proximity to one another and symbiotic uses.

The Tennis Club has been associated with notable Australians, including International Tennis players Neale Fraser, Lew Hoad, Fred Stolle and Ken Rosewell whilst the Bowling Club has strong links to prominent local community members such as former President George Gissing.

The site is visually prominent within the Springdale Conservation Area, maintaining landmark qualities through the recreational and open space characteristics, which provide visual distinction within the highly historic and suburban precinct. The regularity and rectilinear nature of the tennis courts and bowling greens, centrally flanked by the clubhouses, which continue to face their respective sporting precincts, conveys an aesthetically pleasing sense of order to the site. The garden elements, fencing and historic stone walls are notable.

Upon brief inspection, the existing tennis Clubhouse has the potential to display an aesthetically distinctive use of brickwork with finer detailing that is of interest.

The historical evolution of the Clubs, including the built fabric that physically represents this, has continued to evolve because of economic fluctuations and changes in social values, such as the shifting opinions in relation to women. Together, the clubs have the ability to represent early the entrepreneurialism of JG Edwards, who had the ability to envisage and manifest the ongoing use of the site for recreational purposes within a wider residential precinct.

The configuration of the courts and greens remains intact as well as their relationship to the central clubhouse buildings, which have undergone changes over time. Neither of the original clubhouses remains despite possible evidence of the earlier Bowling Clubhouse within the extant fabric.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal seeks to rezone the Killara Bowling and Lawn Tennis Club from R2 Low Density Residential to RE2 Private Recreation and to list the site as a local heritage item in Schedule 5 of the *Ku-ring-gai Local Environmental Plan* ('KLEP 2015'). The best and only means of achieving the objective to recognise the heritage significance and recreational value and provide the site with statutory protection is through the Planning Proposal process. The site has been assessed as satisfying the NSW Heritage Council's Criteria for local heritage significance and a heritage listing will provide ongoing protection and recognition of the heritage significance of the site.

Rezoning the site from the existing R2 Low Density Residential zoning to RE2 Private Recreation in isolation would not protect the heritage values of the site. However, the rezoning, undertaken in tandem with the heritage listing, is the best means to meet the objectives to recognise the heritage and recreational value of the site, and to ensure that the zoning objectives accurately reflect the use of the site. The objectives of the RE2 Private Recreation zone more accurately reflect the past and present use of the site than the objectives of the current zoning of R2 Low Density Residential.

The Killara Bowling and Tennis Clubs have provided recreational facilities for the immediate Killara and wider North Shore community and continued to demonstrate strong links to the Australian sporting culture for over a century, since the declaration of JG Edwards in the late nineteenth century of the sites' suitability for the purpose of a park and/or recreation. The clubs represent the early entrepreneurialism of JG Edwards, who had the ability to envisage and manifest the ongoing use of the site for recreational purposes within a wider residential precinct. Rezoning the site to RE2 Private Recreation will ensure the preservation of the recreational and open space characteristics of the site.

Alternatives such as adjusting the significance of the Springdale Conservation Area have been considered. The Springdale Conservation Area has been previously associated with significant architectural styles and residential allotments. It is intended that the statement of significance for the Springdale conservation area will be adjusted, however, adjusting the statement of significance alone would not recognise the full heritage significance of the site and it is important to consider the significance of the site within its own right. Furthermore, the significance of the site goes beyond that of the conservation area and the protection granted by the conservation area would not necessarily celebrate and protect the specific heritage values of the site. The revised Springdale Conservation Area Statement is included at **Appendix I**.

Other options such as adding site-specific objectives and controls to the *Ku-ring-gai Development Control Plan 2016* will not provide the same level of heritage protection and recognition.

B. Relationship to strategic planning framework

Q3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

Yes. The Planning Proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant actions of the *North District Plan* (2018), as discussed below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The Planning Proposal is consistent with the directions and objectives of the Plan, particularly;

- Objective 13

‘Environmental heritage is identified, conserved and enhanced’.

Heritage listing of Killara Bowling and Lawn Tennis Club will provide ongoing protection and recognition of the heritage significance of the item.

- Objective 28

‘Scenic and cultural landscapes are protected’

A RE2 Private Recreation zoning will ensure the landmark qualities of the site through their recreational and open space characteristics are maintained and continue to provide visual distinction within the highly historic and suburban precinct.

North District Plan

Yes. The Planning Proposal is generally consistent with the directions, priorities and objectives of the *North District Plan*, and more specifically with:

Planning Priority N4: Fostering healthy, creative, culturally rich and socially connected communities

Planning Priority N6. Creating and renewing great places and local centres and respecting the District’s heritage

Action 21. Identify, conserve and enhance environmental heritage by:

- a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place
- b. applying adaptive re-use and interpreting of heritage to foster distinctive local places
- c. managing and monitoring the cumulative impact of development on the heritage values and character of places.

Action 55. Consider the following issues when preparing plans for tourism and visitation:

e. protecting heritage and biodiversity to enhance cultural and eco-tourism

Planning Priority: Protecting and enhancing scenic and cultural landscapes

Action 67. Identify and protect scenic and cultural landscapes

Q4. *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

Yes. The Planning Proposal is consistent with Ku-ring-gai's Community Strategic Plan 2038 (2018) ('CSP'). In particular, the Planning Proposal gives effect to the identified priority of '*protecting heritage buildings and historic places*'. In addition, the Planning Proposal will give effect to Theme 3 of the CSP, 'Places, spaces and infrastructure' which identifies the long-term objective P5.1 '*Ku-ring-gai's heritage is protected, promoted and responsibly managed*' and P6.1 '*Recreation, sporting and leisure facilities are available to meet the community's diverse and changing needs*'.

The Planning Proposal is consistent with Ku-ring-gai's Heritage Strategy (2021) giving effect to the priority to identify new heritage items.

The Planning Proposal is consistent with Ku-ring-gai's Local Strategic Planning Statement (2020) ('LSPS') giving effect to a number of Ku-ring-gai Local Planning Priorities identified within the LSPS, including:

Local Character and Heritage

K12. Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character

K13. Identifying and conserving Ku-ring-gai's environmental heritage

Open Space, Recreation and Sport

K17. Providing a broad range of open spaces, sporting and leisure facilities to meet the community's diverse and changing needs.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The following table identifies the key applicable SEPPs and deemed SEPPs and outlines this Planning Proposal's consistency with those SEPPs.

SEPP	Comment on Consistency
SEPP 55 Remediation of Land	Consistent. There is no evidence to suggest that the subject site could be affected by contamination from past land uses or activities being carried out on the land.
SEPP Exempt and Complying Development Codes 2008	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP (Housing for Seniors or People with a Disability) – 2004	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Building Sustainability Index : Basix 2004	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Infrastructure 2007	Consistent. The Planning Proposal is consistent with the aims of the policy.
SEPP Affordable Rental Housing 2009	Consistent. The Planning Proposal is consistent with the aims of the policy.

SREPP	Comment on Consistency
SYDNEY REP 20 Hawkesbury-Nepean River	Consistent. The Planning Proposal is consistent with the aims of the policy and will have no adverse impacts on the Hawkesbury-Nepean River.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table identifies applicable section 9.1 Directions and outlines this Planning Proposal's consistency with those Directions.

Directions under s.9.1	Objectives	Consistency
2. ENVIRONMENT AND HERITAGE		
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental Heritage significance and indigenous heritage significance.	Consistent. The Planning Proposal is consistent with this direction and it will result in the conservation of a property that has satisfied the NSW Heritage Council's criteria for local heritage significance.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	<p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential 	<p>Justifiably In-consistent.</p> <p>The site is 10 256 sqm in area and currently zoned R2 low density residential. Under the existing planning controls it could accommodate approximately 10 -12 residential lots. The reduction in this potential is not considered to be significant in the context of the availability of low density residential land in Ku-ring-gai.</p> <p>The proposed rezoning of the site to RE2 private recreation recognises and formalises the long time private recreation value of the site and preserves</p>

Directions under s.9.1	Objectives	Consistency
	development on the environment and resource lands.	<p>the recreational and open space characteristics of the site for to the for the surrounding and broader Ku-ring-gai community.</p> <p>The small reduction in residential yield potential when considered in the context of the preservation of the existing recreational infrastructure the site provides is considered to be justifiable.</p>
6. LOCAL PLAN MAKING		
Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent. This Planning Proposal is not for the purpose of facilitating a particular development proposal. It relates to the rezoning of the site and the heritage listing of a new item of environmental heritage.

C. Environmental, social and economic impact

Q7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The Planning Proposal is for the purposes of retaining an existing site. As such, the Planning Proposal will not adversely impact any critical habitat, threatened species, populations or ecological communities, or their habitats as a result of the heritage listing. There is no reason to believe the current and intended future use of the site for recreational purposes will have any impact on ecological communities or endangered species or their habitats.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

There are no environmental effects envisaged as a result of the heritage listing proposed by the Planning Proposal. Protection of the site will be required if development is proposed for the site or in the vicinity of the site. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process. The environmental sustainability benefits afforded by the retention and conservation of heritage places includes the substantial reduction in building demolition and new construction waste, and the conservation of embodied energy in the existing buildings.

Q9. *Has the planning proposal adequately addressed any social and economic effects?*

The Planning Proposal will result in positive social effects by facilitating the conservation of an item of cultural heritage and maintaining a recreational facility that has significance to the local community. The identification and protection of Ku-ring-gai's heritage places contributes to the ongoing conservation of Ku-ring-gai's community-valued historic landscape and garden suburbs. The Planning Proposal will not adversely impact on existing social infrastructure, such as schools and hospitals.

An assessment of economic effects as a result of the Planning Proposal has not been formally undertaken. However, it is unlikely that the heritage listing will place undue economic strain on any individual or group of individuals. Such impacts are not easily measured and must be considered in balance with benefits to the community.

D. State and Commonwealth interests

Q10. *Is there adequate public infrastructure for the planning proposal?*

The Planning Proposal relates to the rezoning and heritage listing of an established site and does not involve amendments to the planning controls that will facilitate intensified development. It is not envisaged that the use of the site will change following the heritage listing of the site.

Q11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Should the Planning Proposal proceed to public exhibition, consultation with the relevant public authorities will be conducted. Council intends to notify Heritage NSW, Department of Premier and Cabinet during the public exhibition of the Planning Proposal. Any other authorities nominated by the Department of Planning, Industry and Environment as part of the requirements of the Gateway Determination will be consulted.

PART 4 - MAPPING

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

The land subject to the Planning Proposal is the Killara Bowling and Lawn Tennis Club (Lot 3 DP 817195, Lot 2 DP 817195, Lot B DP 380305 and Lot 11 DP 1083606). The Planning Proposal will require amendment to the following KLEP 2015 map sheets:

- **Ku-ring-gai Local Environmental Plan 2015 – Land Zoning Map – Sheet LZN_014** by colouring the site so as to indicate an RE2 Private Recreation zoning.

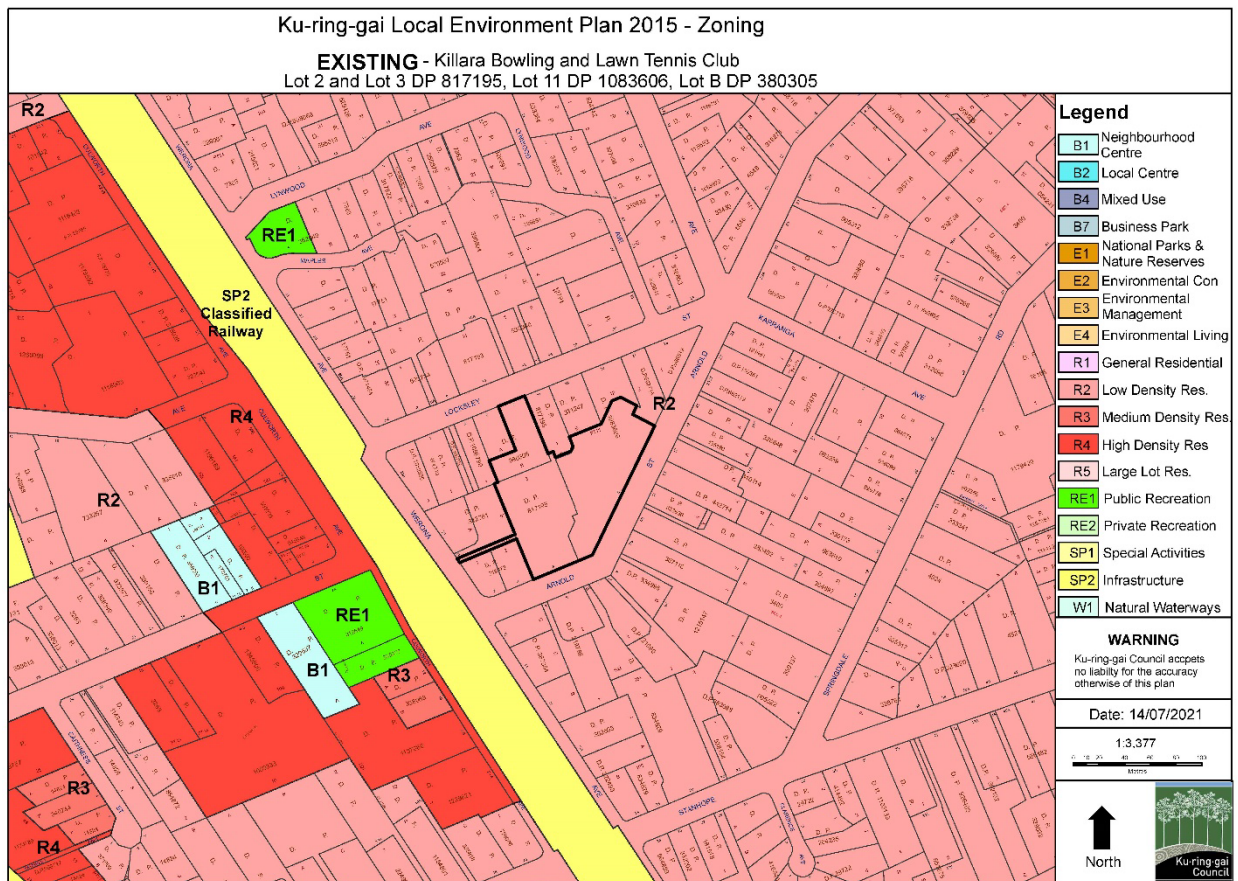


Figure 11. Map showing existing zoning of Killara Bowling and Lawn Tennis Club

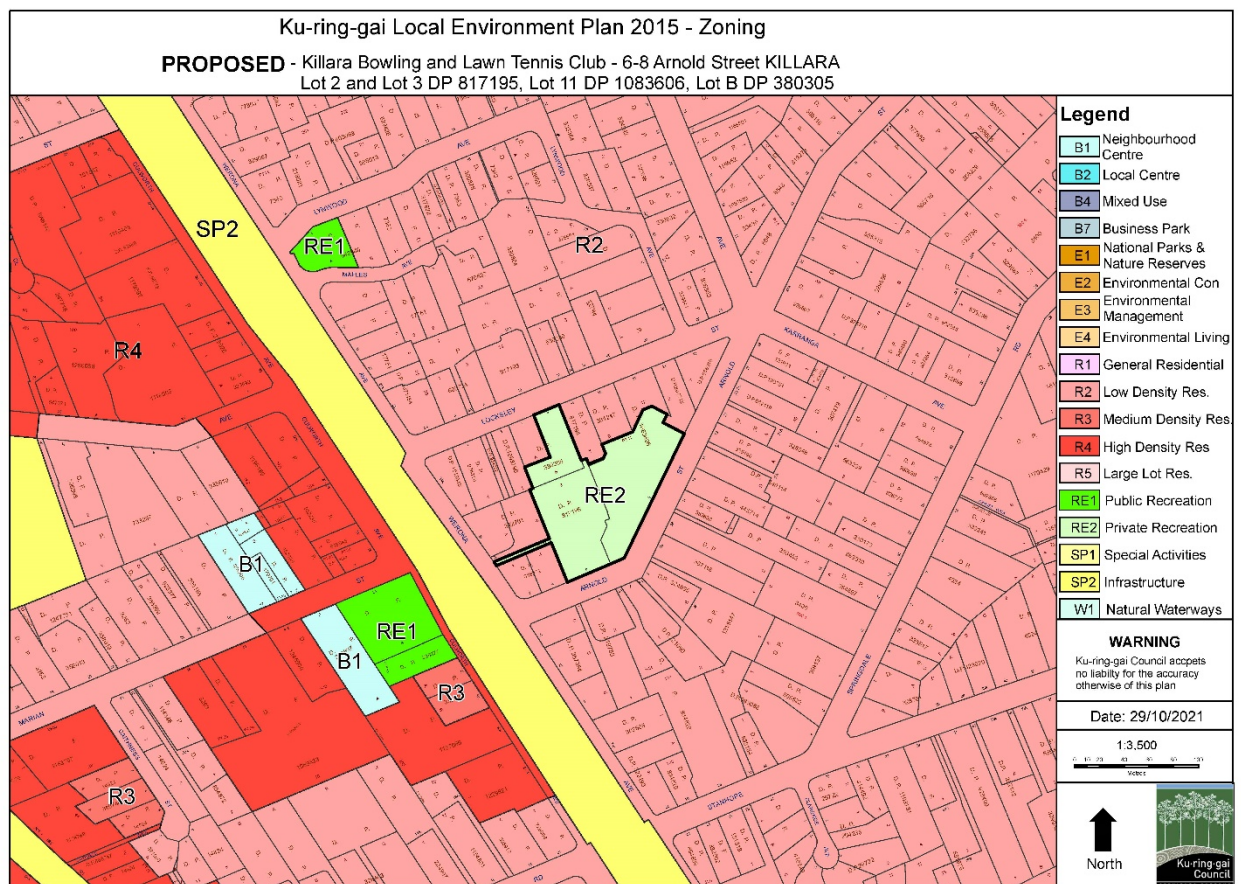


Figure 12. Map showing proposed zoning of Killara Bowling and Lawn Tennis Club

- **Ku-ring-gai Local Environmental Plan 2015 – Floor Space Ratio Map – Sheet FSR_014** by removing the A3 colouring of the site so as to reflect the planning controls of a site zoned for RE2 Private Recreation.

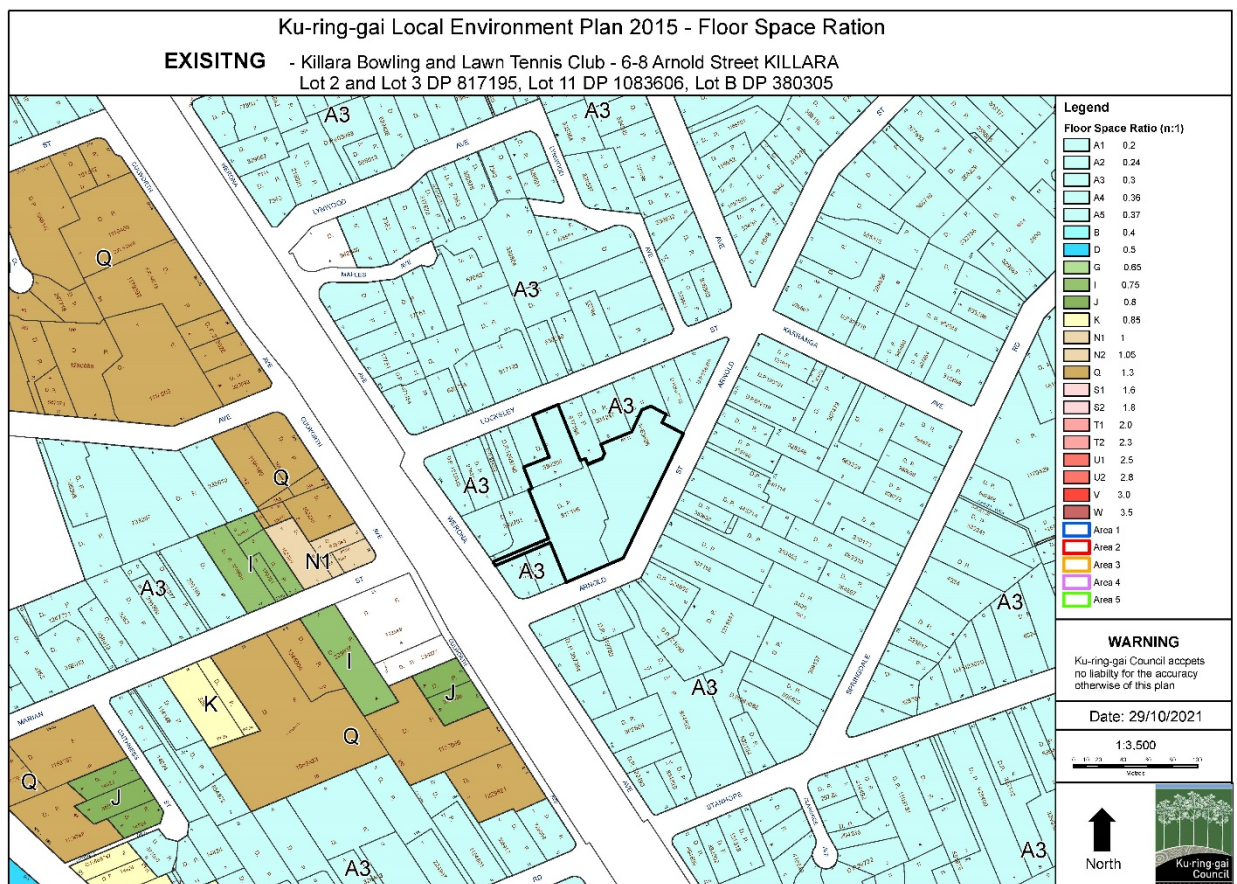


Figure 13. Map showing existing FSR controls of Killara Bowling and Lawn Tennis Club

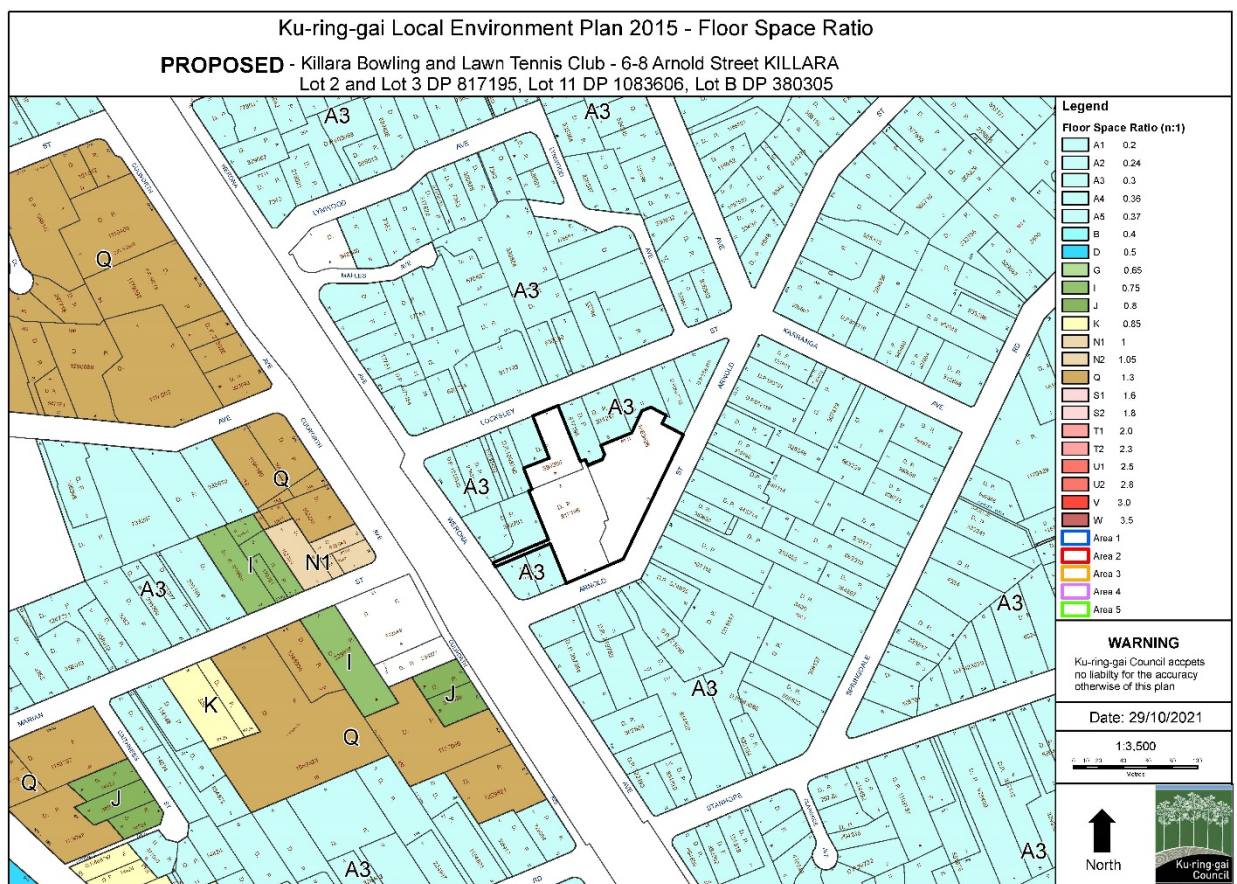


Figure 14. Map showing proposed FSR controls of Killara Bowling and Lawn Tennis Club

- **Ku-ring-gai Local Environmental Plan 2015 – Height of Buildings Map – Sheet HOB_014** by removing the J2 colouring of the site so as to reflect the planning controls of a site zoned for RE2 Private Recreation.



Figure 15. Map showing existing HOB controls of Killara Bowling and Lawn Tennis Club



Figure 16. Map showing proposed HOB controls of Killara Bowling and Lawn Tennis Club

- **Ku-ring-gai Local Environmental Plan 2015 – Heritage Map – Sheet HER_014**

The subject site will be coloured to indicate a Heritage Item – General.

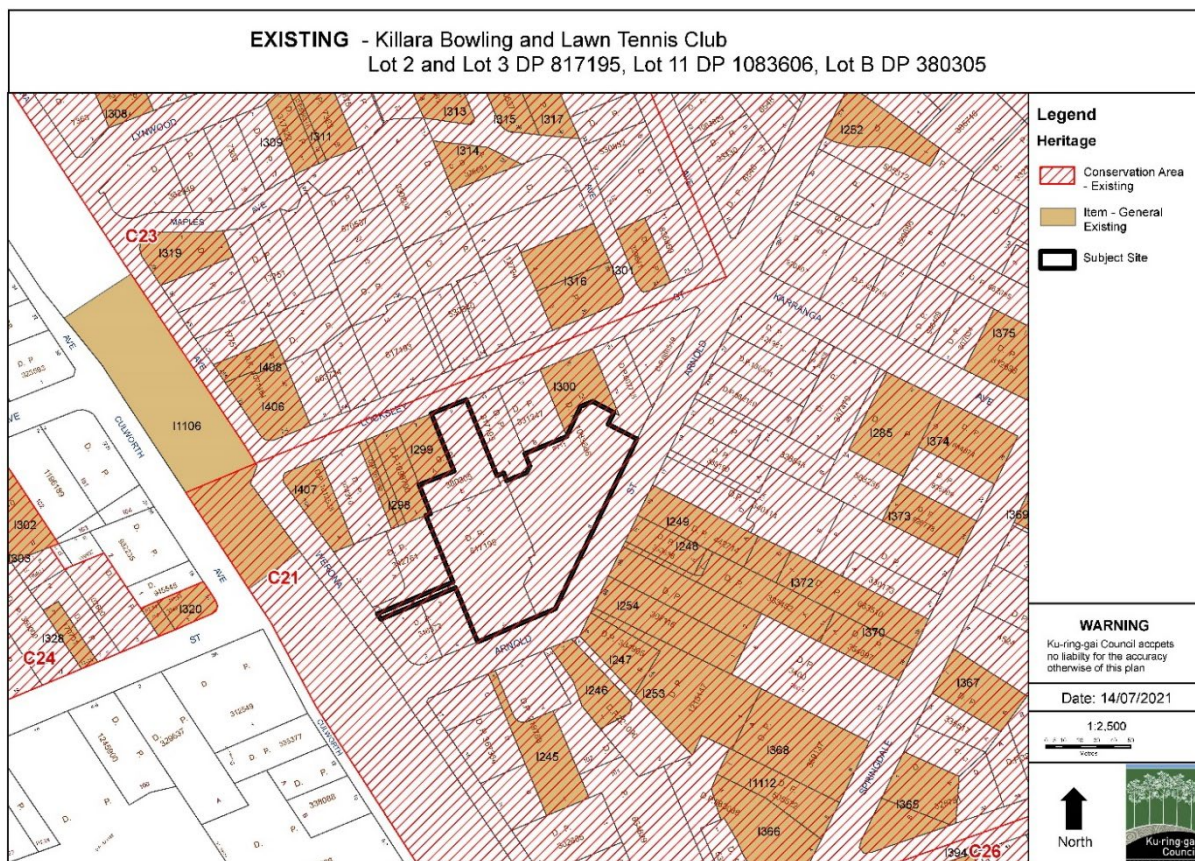


Figure 17. Map showing existing non-heritage listed status of Killara Bowling and Lawn Tennis Club within a heritage conservation area and existing Heritage Items nearby

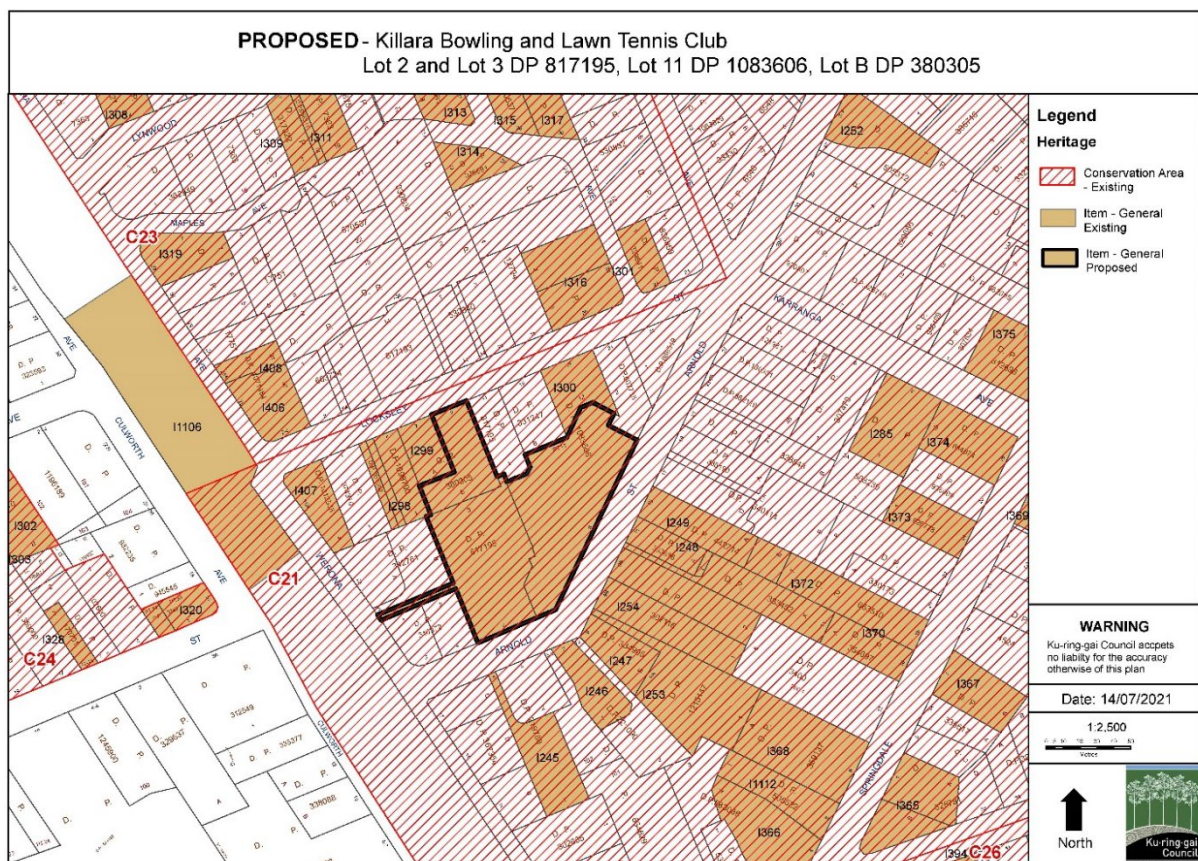


Figure 18. Map showing proposed amendment to heritage map showing Killara Bowling and Lawn Tennis Club shaded as Heritage Item – General

PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

Community consultation for this Planning Proposal will be consistent with the requirements of the Gateway Determination, the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000*, the consultation guidelines contained within the NSW Department of Planning, Industry and Environment's 'A Guide to Preparing Local Environmental Plans' (December 2018) and Ku-ring-gai's Community Participation Plan.

In accordance with the documents above, the public exhibition of a Planning Proposal is generally undertaken in the following manner:

- Notification on Council's website on the 'Have my say' exhibition page
- Notification in writing to the affected and adjoining landowners that:
 - gives a brief description of the objectives or intended outcomes of the planning proposal
 - indicates the land affected by the planning proposal
 - states where and when the planning proposal can be inspected
 - gives the name and address of the PPA for the receipt of submissions
 - indicates the last date for submissions
 - confirms whether delegation for making the LEP has been issued to Council.

During the public exhibition period, the following material is made available for viewing:

- The Planning Proposal
- The Gateway Determination
- Information and technical reports relied upon by the Planning Proposal

The Planning Proposal is considered a low impact proposal. However, due to the nature and size of the site as well as the number of community members that are likely to be invested in the future of the site, the Proposal will be exhibited for 28 days.

At the conclusion of the public exhibition period, a report will be prepared and presented to Council to allow for the consideration of submissions received from the community during the exhibition period.

PART 6 – PROJECT TIMELINE

Stage	Timing
Anticipated commencement date (date of Gateway determination)	TBA
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	TBA
Commencement and completion dates for public exhibition period	TBA
Post exhibition review and reporting	TBA
Council meeting / consideration	TBA
Legal drafting of LEP	TBA
Anticipated date RPA will make the plan (if delegated)	TBA
Notification of Plan on Legislation website	TBA

APPENDIX A – Heritage Assessment of Killara Bowling and Lawn Tennis Club – September 2021

**APPENDIX B – Letter – Response to Request for an Interim Heritage
Order – NSW Heritage – March 2021**

APPENDIX C – Heritage Reference Committee Minutes – 20 May 2021

APPENDIX D – Council Report and Resolution OMC – 15 June 2021

APPENDIX E – Ku-ring-gai Local Planning Panel Meeting – KLPP Advice – August 2021

APPENDIX F – Ku-ring-gai Local Planning Panel Meeting – KLPP Report and Advice – October 2021

**APPENDIX G – Council Report and Resolution OMC – 16 November
2021**

APPENDIX H – SHI Form – Killara Bowling and Tennis Clubs

APPENDIX I – Revised Springdale Conservation Area Statement